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MEMO ENDORSED

February 5, 2008

VIA FACSIMILE

Honorable Colleen McMahon
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

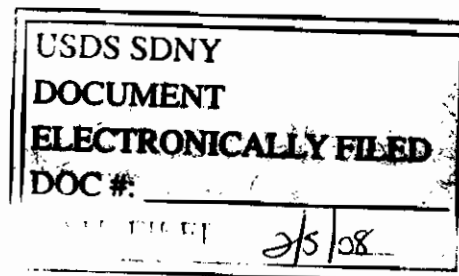
Re: Software AG, Inc. v. Consist Software Solutions, 08-CV-00389 (CM) (FM)

Dear Judge McMahon:

I write to request an extension of time to respond to the Court's inquiries of last Friday, which are currently due this Thursday, February 7.

We received the Court's order shortly before 3 p.m. on Friday seeking a response to, inter alia, issues of German law that plaintiffs first raised in their proposed findings of fact and conclusions of law. As a practical matter, the timing of the order precluded us from finding German counsel to assist until yesterday, as Germany is 6 hours ahead of New York. In this regard, the Court should be aware that Duane Morris does not have an office in Germany to which it can immediately refer questions of foreign law.

Although we understand that yesterday (as well as today and tomorrow) was a holiday in many parts of Germany, we were able to find German counsel to assist us on an urgent basis. Even so, the firms we contacted obviously had to do their own conflict checks and then had to be sent materials to review so as to familiarize themselves with the issues. The relevant papers thus were not received in Germany until late Monday afternoon German time, and we have been able to begin substantive discussions with counsel concerning the salient issues only today.



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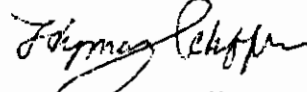
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Under the circumstances, we request an extension until the close of business on Tuesday, February 12, to make our submission. I have spoken with Mr. Jacobs, counsel for plaintiffs, and he has told me that plaintiffs do not oppose this application.

Respectfully,


Hyman L. Schaffer

HLS

cc: James D. Jacobs, Esq.
Frank Gasparo, Esq.
Marcella Ballard, Esq.